

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILLIAM CONSTANT, : X 16 Civ. 3985 (NSR) (JCM)
Plaintiff, :
- against - :
CORRECTION OFFICER N. DAPCEVIC, et al., :
Defendants. : X

ORDER

Whereas, as part of discovery in this action, Plaintiff has sought documents in the possession of the New York State Department of Corrections and Community Supervision (“DOCCS”) related to the May 27, 2013 physical altercation involving Plaintiff and non-party inmate William Reyes;

Whereas, the documents sought include information and photographs of Mr. Reyes after the incident and may contain protected health information as defined in 45 C.F.R. § 160.103;

Whereas, the documents are relevant to the parties’ claims and defenses;

It is hereby ordered that Defendants designate the documents as “Confidential Material” and produce them to Plaintiff, subject to any appropriate objections, pursuant to the Stipulation of Confidentiality and Protective Order entered in this case on October 31, 2019.

SO ORDERED:

Dated: Nov. 18, 2019

Judith C. McCarthy
Hon. Judith C. McCarthy, USMJ